

**MINUTES OF THE JONESTOWN CITY COUNCIL REGULAR MEETING HELD  
MARCH 8, 2007, 7:30 P.M. AT THE CITY COUNCIL CHAMBERS 18649 FM 1431,  
SUITE 3-A, JONESTOWN, TEXAS**

**A. ITEMS OPENING MEETING:**

**1. CALL TO ORDER**

**MAYOR JAMES M. BROWN**

Mayor Brown called the meeting to order at 7:32 p.m.

**2. ROLL CALL**

**CITY SECRETARY**

Upon roll call, the following members were present: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Brown, Mayor Pro Tem Brewer and Alderman Aaron. A quorum was present.

**3. APPROVAL OF MINUTES**

February 8, 2007 Regular Meeting

February 22, 2007 Special Called Meeting

Alderman Drake pointed out a mistake on page 1, that she, not Alderman Aaron, had asked for a change from “city secretary” to “assistant city secretary”. Alderman Drake also pointed out that on page 3, under City Administrator Report, the name of the street should be “Third”, not “Center”. Alderman Walker asked for an addition to the minutes of February 8<sup>th</sup> to include on page 5, item #3, that he was concerned that the police building plans did not include animal control facilities and he asked to have added to his motion for approval having the architect draw up the plans and that the expenditure was also approved. City Administrator, Johnny Sartain wanted the 4% deleted. Alderman Drake noted a typo on page 4, item #1 to take off “Mayor B”. All changes were made except for two: the addition to the motion, since after a review of the audio tape the wording was correct for the motion, second and friendly amendment; and the percentage, which was what was said in the meeting.

Alderman MacMicking made a motion to approve the minutes with the corrections to the February 8<sup>th</sup> minutes. Alderman Drake seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

**4. REPORTS FROM COMMUNITY ORGANIZATIONS AND OTHER ENTITIES**

a. ESD#1

The report is in the packet.

b. Travis County Rural Community Center

James Brown reported that the Easter Egg Hunt will be held the Sunday prior to Easter at Jones Brothers Park, and that he has been reassigned and will be at Pflugerville most of the time.

- c. Jonestown Area Chamber of Commerce

No one was present from the Chamber of Commerce.

## **5. COUNCIL COMMENTS ON DEPARTMENT REPORTS**

- a. Planning and Zoning Commission
- b. Parks and Recreation Board

Alderman Walker asked Parks Director Lina Wintz about the membership participation in the Parks and Recreation Board. They discussed the apparent difficulty of getting a quorum and how to remedy this. Ms. Wintz and Mr. Sartain discussed the need to buy a new vehicle for the Parks Department. Alderman MacMicking asked Lina about the boat launch and this was discussed. The lake level is still receding and making it nearly impossible to launch most boats. Rod Schafner and James Willis participated in the discussion with advice on how to manage the launch in low water.

- c. Waste Water Study Report
  - 1. Centex Wastewater Treatment Plants and Proposed Permit Amendment

Alderman Aaron asked City Administrator Johnny Sartain to give a summary of the report on wastewater. The report is an attachment to the minutes.

- d. Finance Department/Municipal Court
- e. Public Works Department
- f. Library
- g. Building Department

Alderman Walker asked Building Official Bob Stevenson about the large number of reinspection fees. Mr. Stevenson explained that he looks at the same things at every location and is consistent with his inspection criteria. He has to red-tag buildings that don't comply with codes.

- h. Code Enforcement
- i. Police Department

Alderman Aaron complimented Chief Stetar on his report. Alderman MacMicking asked questions about the warrant roundup and discussed the issue with Chief Stetar and Mr. Sartain.

- j. City Administrator

Mr. Sartain mentioned an item that was in his report on his efforts to cut down on overtime by not asking staff members to attend meetings unless there are particular issues they need to be present to address.

k. City Engineer

Alderman Aaron and Johnny Sartain discussed the necessity of making progress on the paving and repair of streets project and getting started by April.

l. Citizens Complaints and Compliments

**B. CITIZEN COMMUNICATIONS (Discussion only on items that are not on the agenda.)**

Paul Dertien gave a presentation in opposition to the pending PUD amendment for Centex Destination Properties.

**C. GENERAL BUSINESS AND ACTION ITEMS:**

**Old Business**

1. Discuss and consider for action a development and annexation agreement for the Volente Group Tract of 62.983 acres located at the south east corner of FM 1431 and Reed Parks Road East.

John Shipley and his attorney, Jim Cousar, presented the amended proposed agreement. His engineers were also present and helped in the discussion. Paige Saenz, the City's attorney also participated in discussion, as did Johnny Sartain, Bob Stevenson and Linda Hambrick. Citizens who spoke were Nadia Wills, Deane Armstrong, Rod Schafner, Jim Conatser, and Marlin Coplin.

Alderman Walker made a motion to approve a development and annexation agreement for the Volente Group Tract of 62.983 acres located at the south east corner of FM 1431 and Reed Parks Road East, with the changes that were picked up by Paige and worked out with the attorneys, and with typographical errors corrected. Alderman MacMicking seconded the motion. There was more discussion concerning the masonry fence and landscaping on FM 1431. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

The annexation petition will be signed tonight and the annexation process done simultaneously with the Kellywood annexation.

Mayor Brown called a break at 9:02 p.m. and called the meeting back to order at 9:10 p.m. He then took the next item out of order.

## New Business

- 9 a. Public hearing to consider a request by David and Boots Deeds for rezoning of lots 394, 395 & 396 Retirement Village, No. 3, Subdivision located at 18506 Lake Oaks Drive from current R-1, Single-Family Residential District, to B-1, Light Commercial District, for the purpose of custom area rug and carpet sculpting for individual buyers, while also living in the duplex.

Former Mayor David Deeds introduced Charles Sharp, the buyer of his duplex property and assisted Mr. Sharp in requesting that the Council grant the B-1 zoning to all lots. Mr. Sharp explained that he and his son's family will occupy the duplex and will conduct their carpet sculpting business on premises, with plans to construct a building on the vacant lot in the future. After discussion, Alderman MacMicking made a motion to close the public hearing. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.** Mayor Brown closed the public hearing.

- b. Discussion and possible action on the above request.

Alderman Aaron made a motion to approve rezoning of lots 394, 395 & 396 Retirement Village, No. 3, Subdivision located at 18506 Lake Oaks Drive from current R-1, Single-Family Residential District, to B-1, Light Commercial District, for the purpose of custom area rug and carpet sculpting for individual buyers, while also living in the duplex. Mayor Pro Tem Brewer seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: None. Abstain: None. The motion carried unanimously.**

1. Discuss and consider for action approval for Mayor Brown to sign letter of agreement with Knight & Partners, Attorneys at Law to designate Paige H. Saenz as the City Attorney.

Alderman MacMicking made a motion to approve Mayor Brown to sign letter of agreement with Knight & Partners, Attorneys at Law to designate Paige H. Saenz as the City Attorney. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

2. Discuss and consider for action approval of joint election agreement with Travis County.

Alderman Walker made a motion to approve the joint election agreement with Travis County. Mayor Pro Tem Brewer seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

3. Discuss and consider for action a resolution calling for a general election and establishing the procedure for the election for city officers (Mayor and Alderman, places 1 & 2) to be held on May 12, 2007.

Alderman Walker made a motion to approve a resolution calling for a general election and establishing the procedure for the election for city officers (Mayor and Alderman, places 1 & 2) to be held on May 12, 2007. Alderman Drake seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

4. Discuss and consider for action approval of the annual audit.

Keith Neffendorf presented the audit. He stated that the city has improved its finances in the past two years and has done a good job managing the city's money. Alderman Aaron made a motion to approve the annual audit. Mayor Pro Tem Brewer seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: None. Abstain: None. The motion carried unanimously.**

5. Discuss and consider for action Library business:

- a. Appointment of Library Board members
  - 1) JimAnn Broughton as regular member
  - 2) Farah Fosshat as alternate member

Alderman Aaron made a motion to appoint JimAnn Broughton as regular member and Farah Fosshat as alternate member. Alderman Drake seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: None. Abstain: None. The motion carried unanimously.**

- b. Approval of expenditures
  - 1) \$900 from the donation account to purchase a projector for summer program and year-round education program.
  - 2) \$500 from the fundraiser account to hire performers for the summer program.
  - 3) \$500 from the donation account to establish a discretionary fund accessible by the Library Director for time-sensitive purchases; fund to be replenished as needed.

Alderman Walker made a motion to approve the above expenditures. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

6. Discuss and consider for action Planning and Zoning Commissioner appointments:
  - a. Reappointment of Commissioners
    - 1) David Nelson, Place 1

- 2) Larry Oaks, Place 3
- 3) Robert Moore, Place 5
- 4) Donna Jo Priem, Place 7

Alderman Walker made a motion to reappoint David Nelson, Place 1; Larry Oaks, Place 3; Robert Moore, Place 5; but not Donna Jo Priem, Place 7. Mayor Pro Tem Brewer seconded the motion. During discussion, Alderman Walker explained that his reason for the Place 7 choice was because there are too many real estate people on the Commission. The discussion included Jim Conatser and Deane Armstrong, who both noted that Mr. Nelson hasn't been attending the meetings while Ms. Priem has been taking his place for several months. Mayor Brown explained the email from Mr. Nelsen saying his work situation has changed for the better making it possible for him to start attending. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

b. Reappointment of Robert Moore, Chairman

Alderman Walker made a motion to reappoint Robert Moore as Chairman. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

7. a. Public hearing of a request by Sandy Creek Investors for approval of a Short Form Final Plat – a Resubdivision of a portion of Block “B” Northlake Hills, Section 2 located in the 17600 block of Reed Parks Road. The developer is asking for reconfiguration of four existing lots to all front on Reed Parks Road, and eliminate Terry Cove.

Owners, Beth Mc Daniels and Joe Woskow were present to discuss their request with Council. Discussion issues were whether variances that were granted with the original plat in 1997 are valid for this resubdivision, if more money is due for road improvements, and if sidewalks are required along Reed Parks Road. Alderman Walker made a motion to close the public hearing. Mayor Pro Tem Brewer seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

b. Discussion and possible action on the above request.

Alderman Walker made a motion to approve a Short Form Final Plat – a Resubdivision of a portion of Block “B” Northlake Hills, Section 2 located in the 17600 block of Reed Parks Road reconfiguring four existing lots to all front on Reed Parks Road, and eliminate Terry Cove, and requiring the construction of five foot wide sidewalks along Reed Parks Road. Alderman Aaron seconded the motion. Mayor Pro Tem Brewer asked for a friendly amendment that the sidewalks be required to be built before the final plat is filed. His amendment was accepted. **Upon roll call the vote was as follows: Yes:**

**Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

Mrs. Mc Daniels asked if the sidewalk issue could be handled with a letter of credit, and staff advised her that the City engineer will be contacted to work with them to ascertain the necessary amount and that this would be fine. There was no objection to this alternative since contracts of sale are pending.

8. Discuss and consider for action lifting the necessity to renew the conditional use permit for Redbone at 10702 Laurel Lane unless there are legitimate complaints about noise or odor verified by the Jonestown Police Department.

Alderman Aaron made a motion to approve lifting the necessity to renew the conditional use permit for Redbone at 10702 Laurel Lane unless there are legitimate complaints about noise or odor verified by the Jonestown Police Department. Mayor Pro Tem Brewer seconded the motion. During discussion, Alderman Aaron asked Police Chief Stetar if there have been any complaints, and Chief said that they have received none. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: None. Abstain: None. The motion carried unanimously.**

10. Discuss and consider for action approval of alternate building material for property located at 18626 FM 1431.

After a brief discussion which included Mr. Belzer and Bob Stevenson, Mayor Pro Tem Brewer made a motion to approve the use of metal as alternate building material on the two sides of the building that do not face FM 1431. Alderman Aaron seconded the motion. During discussion, Alderman Walker asked for a friendly amendment to add that the metal be of earth tones with a baked finish. The amendment was accepted. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: None. Abstain: None. The motion carried unanimously.**

11. Discuss and consider for action approval of the expenditure of hotel/motel tax funds to purchase new banners for light poles.

After a brief discussion, Alderman Aaron made a motion to approve the expenditure of hotel/motel tax funds to purchase new banners for light poles. Mayor Pro Tem Brewer seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: N. Abstain: None. The motion carried unanimously.**

- 12 a. Public Hearing of an amendment to Chapter 94, Jonestown Code of Ordinances, amending the definition of height as set forth in §94.005; amending §94.020(g)(9)(c), to include GFA in brackets denoting the acronym for Gross Floor Area; and amending

§94.036(f)(4)C)(iii), governing changes in variation for structures within the FM-1 District.

Alderman Aaron asked that the height of buildings be amended also. After a discussion, Alderman MacMicking made a motion to close the public hearing. Alderman Drake seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Aaron, Mayor Pro Tem Brewer, Alderman Drake, Alderman MacMicking and Alderman Walker. No: None. Abstain: None. The motion carried unanimously.**

b. Discussion and possible action the above proposed amendment.

Alderman Walker made a motion to approve the amendment to Chapter 94, Jonestown Code of Ordinances, amending the definition of height as set forth in §94.005; amending §94.020(g)(9)(c), to include GFA in brackets denoting the acronym for Gross Floor Area; and amending §94.036(f)(4)C)(iii), governing changes in variation for structures within the FM-1 District. Alderman Drake seconded the motion. After more discussion, Alderman Walker withdrew his motion and Alderman Drake withdrew her second. Alderman Walker made a motion to table the item until the March 22<sup>nd</sup> agenda and have the height issue added. Alderman Drake seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

13. Discuss and consider for action a resolution commencing the annexation of 30.14 acres, more or less, located in the 18000 block of Reed Parks Road, just west of Ranchland Hills Subdivision in Travis County, Texas at the request of Keith Kelly.

Alderman Walker made a motion to approve a resolution commencing the annexation of 30.14 acres, more or less, located in the 18000 block of Reed Parks Road, just west of Ranchland Hills Subdivision in Travis County, Texas at the request of Keith Kelly. Alderman Aaron seconded the motion. **Upon roll call the vote was as follows: Yes: Alderman Walker, Alderman MacMicking, Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. No: None. Abstain None. Motion passes unanimously.**

14. Discuss and consider for action an increase in the homestead exemption.

Alderman MacMicking made a motion to increase the homestead exemption to 15%. The motion died for lack of a second. Alderman MacMicking made a motion to increase the homestead exemption to 10%. Alderman Walker seconded the motion. After discussion which included Deane Armstrong, Jim Conatser, Nadia Wills, Melody Gasten, Bill Nichols, David Deeds, and Rod Schafner, the vote was taken. **Upon roll call the vote was as follows: Yes: Alderman Walker and Alderman MacMicking. No: Alderman Drake, Mayor Pro Tem Brewer and Alderman Aaron. Abstain None. Motion fails 2 to 3.**



15. Discuss and consider for action the placement of items on future agendas.

Mayor Pro Tem Brewer asked again to have an item on the next agenda to discuss a bond issue for repair and paving of streets.

Alderman Aaron asked for an item on the April 12<sup>th</sup> agenda to discuss the animal control issue.

**D. ADJOURNMENT**

Mayor Brown adjourned the meeting at 11:00 p.m.

**PASSED AND APPROVED AT A REGULAR MEETING HELD ON APRIL 12, 2007.**

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James M. Brown, Mayor  
City of Jonestown

ATTEST:

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Linda Hambrick, City Secretary